

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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LUIGI GIROTTO,	:	
	:	
Plaintiff,	:	
	:	21-cv-2220 (VSB)
-against-	:	
	:	<b><u>ORDER</u></b>
SMCP USA INC., a Delaware corporation,	:	
d/b/a SANDRO, and d/b/a MAJE, and 415-	:	
17	:	
BLEECKER STREET, LLC, a New York	:	
limited liability company,	:	
	:	
Defendants.	:	
-----X	:	

VERNON S. BRODERICK, United States District Judge:

Plaintiff Luigi Girotto commenced this action against Defendant SMCP USA, Inc. (“SMCP”) on March 14, 2021. (Doc. 1.) On April 13, 2021, Plaintiff filed the amended complaint. (Doc. 7.) The amended complaint was served on SMCP on April 6, 2021. (Doc. 12.) The deadline for SMCP to respond was May 10, 2021. When Defendant did not appear, Plaintiff was directed to seek default judgment on May 13, 2021. (Doc. 15.) On June 1, 2021, Defendant SMCP appeared for the first time, asking for extension of time to respond to the amended complaint until July 31, (Doc. 18), which was granted, (Doc. 19). Afterwards, SMCP asked for three more extensions, (Docs. 25, 27, and 29), which were all granted, (Docs. 26, 28, and 30). In their latest request for extension, SMCP noted that the parties are engaged in discussions. (Doc. 29.) Under the current schedule, SMCP should answer, move, or otherwise respond to the amended complaint by October 30, 2021. (Doc. 28.) SMCP has not provided any such response. Accordingly, it is hereby ORDERED that SMCP shall respond to the amended

complaint or submit a letter updating this Court of the parties' settlement negotiation by November 19, 2021. SMCP is warned that further requests for extension is unlikely to be granted.

SO ORDERED.

Dated: November 9, 2021  
New York, New York

A handwritten signature in black ink, reading "Vernon Broderick", with a horizontal line drawn underneath the signature.

Vernon S. Broderick  
United States District Judge